

Docket No. BOC9-2000-0060 (195)

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OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Creamer, et al.

Serial No.: 09/910,271

Examiner: Anwah, Ollsa

Confirmation No.: 2715

Group: 2645

Date Filed: July 19, 2001

For: E-MAIL WITH VOICE/PHONE CONFERENCE FEATURE

DECLARATION UNDER 37 C.F.R. § 1.131

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Thomas E. Creamer, a citizen of the United States of America, residing at 12877 Hyland Circle, Boca Raton, FL 33428, hereby declare and state as follows:

1. I was employed by International Business Machines Corporation (IBM) in Armonk, New York at the time the above-identified application was conceived. I make this declaration in support the above-identified application.

2. IBM had invested substantial time and effort into the research, development, and marketing of their products, and in an effort to protect its rights in all new inventions, IBM requests that all employees prepare and submit confidential Invention Disclosure Forms upon conception by the inventor(s).

3. As a named co-inventor for this invention, I submitted the attached Invention Disclosure No. BOC8-2000-0053 together with my co-inventors, Victor S. Moore and Glen R. Walters.

4. I make this Declaration to establish that the other co-inventors and I conceived of the present invention at least as early as June 7, 2000, and exercised due diligence from that date to July 19, 2001, the filing date for the above-identified patent application.

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to 703-872-8314 to the U.S. Patent and Trademark Office on the date shown below.

11/26/03  
Date

Kevin T. Cuenot, Esquire, Reg. No. 46,283

(WP146432:1)

Declaration Under 37 C.F.R. §1.131  
U.S. Patent Appln. No. 09/910,271

Docket No. BOC9-2000-0060 (195)

6. I further declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the above-identified patent application or any patent issuing thereon.

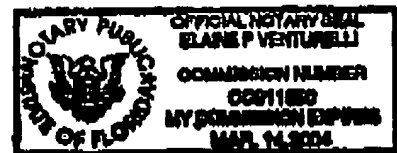
Thomas E. Creamer  
Thomas E. Creamer

Date: 10/22/2003

STATE OF FLORIDA )  
COUNTY OF PALM BEACH ) ss:

The foregoing instrument was sworn to and subscribed before me this 22 day of OCTOBER, 2003, by THOMAS E. CREAMER, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification.

Elaine P. Venturelli  
NOTARY PUBLIC, STATE OF FLORIDA  
ELAINE P. VENTURELLI  
(Print, Type or Stamp Commissioned Name of Notary Public)



Docket No. BOC8-2000-0060 (195)

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Examiner: Anwah, Olisa

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DECLARATION UNDER 37 C.F.R. § 1.131

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Victor S. Moore, a citizen of the United States of America, residing at 4739 Pinetree Drive, Boynton Beach, FL 33436, hereby declare and state as follows:

1. I was employed by International Business Machines Corporation (IBM) in Armonk, New York at the time the above-identified application was conceived. I make this declaration in support of the above-identified application.

2. IBM had invested substantial time and effort into the research, development, and marketing of their products, and in an effort to protect its rights in all new inventions, IBM requests that all employees prepare and submit confidential Invention Disclosure Forms upon conception by the inventor(s).

3. As a named co-inventor for this invention, I submitted the attached Invention Disclosure No. BOC8-2000-0063 together with my co-inventors, Thomas E. Creamer and Glen R. Walters.

4. I make this Declaration to establish that the other co-inventors and I conceived of the present invention at least as early as June 7, 2000, and exercised due diligence from that date to July 19, 2001, the filing date for the above-identified patent application.

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to 703-872-9314 to the U.S. Patent and Trademark Office on the date shown below.

Date

11/21/03


Kevin T. Cuenot, Esquire

Reg. No. 48,283

Declaration Under 37 C.F.R. §1.131  
U.S. Patent Appln. No. 09/910,271

Docket No. BOC9-2000-0060 (195)

5. I further declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the above-identified patent application or any patent issuing thereon.

  
Victor S. Moore

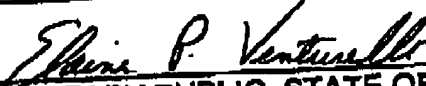
Date: 10/28/2003

STATE OF FLORIDA

COUNTY OF PALM BEACH

)  
) ss:  
)

The foregoing instrument was sworn to and subscribed before me this 28 day of October, 2003, by VICTOR S. MOORE, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification.

  
NOTARY PUBLIC, STATE OF FLORIDA  
ELAINE P. VENTURELLI  
(Print, Type or Stamp Commissioned Name of Notary Public)



Docket No. BOC9-2000-0060 (195)

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DECLARATION UNDER 37 C.F.R. § 1.131

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Glen R. Walters, a citizen of the United States of America, residing at 5320 Pierce Street, Hollywood, FL 33021, hereby declare and state as follows:

1. I was employed by International Business Machines Corporation (IBM) in Armonk, New York at the time the above-identified application was conceived. I make this declaration in support of the above-identified application.

2. IBM had invested substantial time and effort into the research, development, and marketing of their products, and in an effort to protect its rights in all new inventions, IBM requests that all employees prepare and submit confidential Invention Disclosure Forms upon conception by the inventor(s).

3. As a named co-inventor for this invention, I submitted the attached Invention Disclosure No. BOC8-2000-0053 together with my co-inventors, Thomas E. Creamer and Glen R. Walters.

4. I make this Declaration to establish that the other co-inventors and I conceived of the present invention at least as early as June 7, 2000, and exercised due diligence from that date to July 19, 2001, the filing date for the above-identified patent application.

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to 703-872-9314 to the U.S. Patent and Trademark Office on the date shown below.

Date

11/26/03

Kevin T. Cuenot, Esquire

Reg. No. 48,283

Declaration Under 37 C.F.R. §1.131  
U.S. Patent Appln. No. 09/910,271

Docket No. BOC9-2000-0080 (195)

5. I further declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the above-identified patent application or any patent issuing thereon.

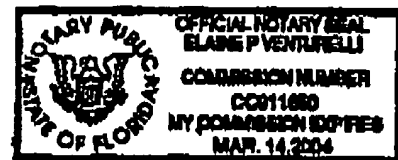
Glen R. Walters  
Glen R. Walters

Date: 10/22/03

STATE OF FLORIDA )  
COUNTY OF BROWARD ) ss:

The foregoing instrument was sworn to and subscribed before me this 22 day of OCTOBER, 2003, by GLEN R. WALTERS, who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification.

Elaine P. Venturelli  
NOTARY PUBLIC, STATE OF FLORIDA  
ELAINE P. VENTURELLI  
(Print, Type or Stamp Commissioned Name of Notary Public)





## Disclosure BOC8-2000-0053

Created By: Tom Creamer Created On: 06/07/2000 02:04:11 PM  
 Last Modified By: Tom Creamer Last Modified On: 06/07/2000 04:06:33 PM

\*\*\* IBM Confidential \*\*\*

Required fields are marked with the asterisk (\*) and must be filled in to complete the form.

### Summary

Status	Submitted
Processing Location	BOC
Functional Area	Solution Technology (Tempelmeier) Div 7J
Attorney/Patent Professional	Richard Tomlin/Boca Raton/IBM
Submitted Date	06/07/2000 04:05:47 PM
Owning Division	SWG
<del>Region</del>	30
Incentive Program	
Lab	
Technology Code	

### Inventors with Lotus Notes IDs

Inventors: Tom Creamer/Fort Lauderdale/IBM, Vic Moore/Fort Lauderdale/IBM, Glen Walters/Fort Lauderdale/IBM

Inventor Name > denotes primary contact	Inventor Serial	Div/Dept	Manager Serial	Manager Name
Creamer, Thomas E.	356849	7J/FEGA	584516	Winters, S.L. (Scott)
Moore, Victor S.	365784	7J/9ICA	660561	Tempelmeier, Mark
Walters, Glen R.	942788	7J/FEGA	584516	Winters, S.L. (Scott)

### Inventors without Lotus Notes IDs

#### IDT Selection

IDT Team:	Attorney/Patent Professional: Richard Tomlin/Boca Raton/IBM
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### Main Idea

#### \*Title of disclosure (in English)

E-mail client with "Set-up a Voice/Phone Conference" feature

#### \*Idea of disclosure

1. Describe your invention, stating the problem solved (if appropriate), and indicating the advantages of using the invention.

This allows a person to embed a symbol or icon into an e-mail message. When the e-mail is received from the e-mail sender, the e-mail recipient can choose to click on the symbol or icon and a voice/phone conference is initiated between the e-mails sender, receiver and others identified in the voice conference list. Whether the call is PSTN or Voice over IP (VoIP) based is determined by voice conference participant preference.

BOC8-2000-0053 E-mail client with "Set-up a Voice/Phone Conference" feature - continued

2. How does the invention solve the problem or achieve an advantage, (a description of "the invention", including figures inline as appropriate)?  
This invention allows e-mail to link with network features which support voice conference processing. The e-mail sender, receiver and others in the voice conference do not have to understand how to set-up the voice conference.

3. If the same advantage or problem has been identified by others (inside/outside IBM), how have those others solved it and does your solution differ and why is it better?  
No.

4. If the invention is implemented in a product or prototype, include technical details, purpose, disclosure details to others and the date of that implementation.  
Not at this time.

**\*Critical Questions ( Questions 1 - 7 must be answered)****\*Question 1**

On what date was the invention workable? 06/07/2000 Please format the date as MM/DD/YYYY  
(Workable means i.e. when you know that your design will solve the problem)

**\*Question 2**

Is there any planned or actual publication or disclosure of your invention to anyone outside IBM?

☐ Yes  
☒ No

If yes, Enter the name of each publication or patent and the date published below.

Publication/Patent:

Date Published or Issued:

Are you aware of any publications, products or patents that relate to this invention?

☐ Yes  
☒ No

If yes, Enter the name of each publication or patent and the date published below.

Publication/Patent:

Date Published or Issued:

**\*Question 3**

Has the subject matter of the invention or a product incorporating the invention been sold, used internally in manufacturing, announced for sale, or included in a proposal?

☐ Yes  
☒ No

Is a sale, use in manufacturing, product announcement, or proposal planned?

☐ Yes  
☒ No

If Yes, identify the product if known and indicate the date or planned date of sale, announcements, or proposal and to whom the sale, announcement or proposal has been or will be made.

Product:

Version/Release:

Code Name:

Date:

To Whom:

If more than one, use cut and paste and append as necessary in the field provided.

**\*Question 4**

Was the subject matter of your invention or a product incorporating your invention used in public e.g., outside IBM or in the presence of non-IBMers?

☐ Yes  
☒ No

If yes, give a date. Please format the date as MM/DD/YYYY

**\*Question 5**

Have you ever discussed your invention with others not employed at IBM?

☐ Yes  
☒ No

If yes, identify individuals and date discussed. Fill in the text area with the following information, the names of the individuals, the employer, date discussed, under CDA, and CDA #.

Page 2

Printed 06/20/2000 at 11:56:18 AM



BOC8-2000-0053 E-mail client with set-up a Voice/Phone Conference\* feature - continued

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<b>Question 6</b> Was the invention, in any way, started or developed under a government contract or project?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not sure
If Yes, enter the contract number	

<b>Question 7</b> Was the invention made in the course of any alliance, joint development or other contract activities?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Sure
If Yes, enter the following :Name of Alliance, Contractor or Joint Developer	
Contract ID number	
Relationship contact name	
Relationship contact E-mail	
Relationship contact phone	

<b>Question 8</b> Have you submitted, or are you aware of, any related disclosure submission?	<input type="radio"/> Yes <input checked="" type="radio"/> No
If Yes, please provide the title and docket or disclosure number below:	

<b>Question 9</b> What type of companies do you expect to compete with inventions of this type? <i>Check all that apply.</i>
<input type="checkbox"/> Manufacturers of enterprise servers <input type="checkbox"/> Manufacturers of entry servers <input type="checkbox"/> Manufacturers of workstations <input type="checkbox"/> Manufacturers of PC's <input type="checkbox"/> Non-computer manufacturers <input type="checkbox"/> Developers of operating systems <input type="checkbox"/> Developers of networking software <input type="checkbox"/> Developers of application software <input checked="" type="checkbox"/> Integrated solution providers <input checked="" type="checkbox"/> Service providers <input type="checkbox"/> Other (Please specify below)

**Patent Value Tool (Optional - this may be used by the inventor and attorney to assist with the evaluation)**

(The Patent Value tool can be used by you or the evaluation team to determine the potential licensing value of your invention.)

These are the answers which were entered into the **Patent Value Tool**.

**Market**

What is the anticipated annual market size (in dollars) that will be captured by your invention?  
\$10M to \$100M

BOC8-2000-0053 E-mail client with set-up a Voice/Phone Conference\* feature - completed

**Question 1 - How new is the technical field?**

Emerging

**Question 2 - How central is the invention to the product(s) which might be expected to contain the invention?**

Essential

**Question 3 - What is the scope of the claim?**

Broad

**PORTFOLIO NEED**

What are the portfolio needs in the area of your invention?

Listed in PPM Needs

**EXPLOITATION & ENFORCEMENT**

**Question 1 - How easily can the use of the invention by a competitor be detected?**

Trivially

**Question 2 - How easily can the use of the invention be avoided by a competitor?**

With much work

**BUSINESS VALUE**

**Question 1 - What percentage of the companies producing products in the field of this invention might use this invention?**

Broadly cloned

**Question 2 - What is the value of this patent to current or anticipated Alliance Activity between IBM and other companies?**

High value

**Question 3 - What is the value of this patent to current or anticipated Technology Transfer Activity between IBM and other companies?**

High value

**Question 4 - Does it result in prestige to IBM?**

Industry wide

**Post Disclosure Text & Drawings**

Enter any additional information relating to this disclosure below:

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(Form Revised 12/17/97)